2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of article VI

Report submitted by the Islamic Republic of Iran

1. The present report is submitted in accordance with sub-paragraph 12 of paragraph 15 in the chapter on article VI of the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and deals with measures that have been taken by the Islamic Republic of Iran to implement article VI of the Treaty and paragraph 4 (c) of the 1995 decision on principles and objectives for nuclear disarmament and non-proliferation.

2. The Islamic Republic of Iran believes that reporting, as envisaged in step 12 of the agreed practical steps, provides an essential element to ascertain the implementation of obligations assumed under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. The Islamic Republic of Iran holds the view that the objectivity of our analysis on the progress towards the goal of nuclear disarmament would be best served through adoption of a format properly defining categories of information required within the review strengthening process.

3. One of the important elements of step 12 is that the 2000 Review Conference recalled the advisory opinion of 8 July 1996 of the International Court of Justice in conjunction with the implementation of article VI of the Treaty. As the Court stipulated in its advisory opinion in 1996, "the threat or use of nuclear weapons would generally be contrary to the rules of international law", and "there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control". The Islamic Republic of Iran emphasizes the importance and validity of the advisory opinion of the Court as a universal disarmament obligation of States parties and non-parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and accordingly believes that, while reporting on the implementation of article VI of the Treaty is important, it shall not substitute the fulfilment of the obligation of nuclear disarmament under article VI. It is disappointing that 40 years after the entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons, the obligations under article VI have yet to be fulfilled. More than 60 years after Hiroshima and Nagasaki, the long-lasting threat to human survival from nuclear weapons continues to be the greatest one to humanity. The international community is gravely concerned about the lack of progress in achieving nuclear disarmament.

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Unfortunately, long after the end of the cold war, some tens of thousands of nuclear weapons still exist, many on high-alert status.

Iran's approach towards the Treaty on the Non-Proliferation of Nuclear Weapons

4. The Islamic Republic of Iran signed and ratified the Treaty on the Non-Proliferation of Nuclear Weapons in 1969 and 1970. In June 1973, in accordance with paragraph 1 of article III of the Treaty, Iran concluded a Comprehensive Safeguards Agreement with the International Atomic Energy Agency (IAEA). Ratification of the Treaty on the Non-Proliferation of Nuclear Weapons before its entry into force and early conclusion of the Safeguards Agreement clearly demonstrate our long-standing support and commitment as a non-nuclear-weapon State to this fundamental instrument.

5. In 1974, Iran was the first country in the Middle East region to initiate the idea of the establishment of a nuclear-weapon-free zone, which was followed vigourously by the resolutions of the General Assembly.

6. The Islamic Republic of Iran has fulfilled its obligations under all provisions of the Treaty with the hope of helping the integrity and universality of the Treaty regime and achieving its fundamental objectives. Iran's position to renounce the nuclear option, as a matter of principle, and place its peaceful nuclear facilities under the full scope of the Safeguards Agreement is a clear manifestation of our commitment to a strong Treaty on the Non-Proliferation of Nuclear Weapons. Iran considers the acquiring, development and use or threat of use of nuclear weapons inhuman, immoral, illegal and against its very basic principles. Nuclear weapons have no place in Iran's defence doctrine because of our commitment to our contractual obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, and we believe they do not add to Iran's security.

7. The Islamic Republic of Iran believes that all provisions of the Treaty on the Non-Proliferation of Nuclear Weapons are of equal importance. Maintaining the balance of the rights and obligations enshrined in the Treaty preserves its integrity, enhances its credibility and encourages the Treaty's universality and full implementation. In this context, the Islamic Republic of Iran believes that the current selective, discriminatory and non-balanced approach towards the Treaty, reflected in particular in the recent decision of the Nuclear Suppliers Group and through instrumental use of the Security Council by some veto-holders such as in the adoption of resolution 1887 (2009), has seriously jeopardized this fundamental regime on nuclear non-proliferation and disarmament.

8. In accordance with the Final Document of the 2000 Review Conference, nuclear-weapon States made an unequivocal undertaking to accomplish the total elimination of their nuclear arsenals. The practical steps for the systematic and progressive implementation of article VI of the Treaty, as agreed in the 2000 Review Conference, should be vigourously pursued by nuclear-weapon States. Therefore, no action shall be made by nuclear-weapon States, in contravention of those obligations. Regrettably, and despite the pledges on nuclear disarmament made by the new Administration of the United States of America, a review of the new United States nuclear policy shows a reverse trend. The continued emphasis of the new United States Nuclear Posture Review on maintaining nuclear weapons and the obsolete deterrence policy, new extraordinary budget allocations to the modernization of the United States arsenals, no movement towards ratification of

the Comprehensive Nuclear-Test-Ban Treaty, and raising new excuses for keeping nuclear weapons in the new Nuclear Posture Review, are clear indications of the continued policy of the United States to evade its obligation to eliminate its nuclear arsenals. Furthermore, the United Kingdom Trident Project to build a new generation of nuclear armed submarines and the announced policy of France to modernize all branches of its nuclear forces including producing new nuclear-powered ballistic missile submarines, and its announcement that it would develop new nuclear plans to modernize nuclear arsenals and the army and will spend 377 billion euros on this plan until 2020, are all flagrant violations of international law, obligations under article VI of the Treaty and the 1995 decision on principles and objectives for nuclear disarmament and non-proliferation as well as the commitments made by the nuclear-weapon States in the 2000 Review Conference.

9. Another negative development in the framework of joint research on nuclear warheads between two nuclear-weapon States, the United States and the United Kingdom of Great Britain and Northern Ireland, is another grave concern for non-nuclear-weapon States and demonstrates serious non-compliance with article I of the Treaty. According to the data published on 9 February 2009, the United States military has been using Britain's atomic weapons facility to carry out research into its own warhead programme. In this regard, the United States defence officials have declared that "very valuable" warhead research has been taking place at the Atomic Weapon Establishment at Aldermaston in Berkshire as part of an ongoing and secretive deal between British and American Governments. Such events clearly demonstrate the non-compliance of both countries and their reluctance in discharging their legal obligations under the Treaty provisions.

10. The States parties to the Treaty are also concerned about the efforts of some nuclear-weapon States to reinterpret article VI of the Treaty and to make their obligations conditional, including the statements of the United States representative in the First Committee during the sixty-second session of the General Assembly and that of the United Kingdom Secretary of Defence in February 2008 at the Conference on Disarmament.

11. In addition, the United States has continuously refrained from giving positive response to the demand of the international community to start negotiations on the treaty of negative security assurances and the treaty on nuclear disarmament. Instead, the United States is increasingly devoting billions of dollars for programmes of vertical proliferation of its nuclear arsenals. Furthermore, by continuing the deployment of hundreds of nuclear weapons, planning for the deployment of nuclear warheads and defence missile systems in other countries and training the air forces of those countries to deliver these weapons in the framework of military alliances, which are violations of the Treaty confessed to in the new United States Nuclear Posture Review, and by transferring nuclear technology and materials to the non-parties to the Treaty on the Non-Proliferation of Nuclear Weapons whose nuclear facilities are operating outside IAEA full-scope safeguards monitoring, the United States is in non-compliance with article I of the Treaty, which stipulates that each nuclear-weapon State party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons, and with article VI, which sets out the complete disarmament commitments of the nuclear-weapon States.

12. It should be highlighted that any reduction of nuclear weapons, whether strategic or non-strategic, should be in an internationally verifiable and irreversible

manner. Needless to say, that such a reduction in nuclear weapons can never be a substitute to the main obligation of nuclear-weapon States, namely, total elimination of nuclear weapons. As reiterated and as a first step, a real change was expected to the aggressive Nuclear Posture Review and removal of the emphasis on the old doctrine of nuclear deterrence but the new United States Nuclear Posture Review failed to do so and, while placing emphasis on maintaining nuclear weapons, repeated the obsolete doctrine of deterrence. Since there is no mechanism to internationally verify the unilateral, bilateral and multilateral declarations or agreements regarding the fulfilment of nuclear disarmament obligations, the Review Conference should also establish a standing committee for monitoring and verifying the implementation of the commitments of nuclear-weapon States under article VI of the Treaty.

Measures taken to implement article VI of the Treaty

13. The Islamic Republic of Iran has actively participated in international efforts to promote nuclear disarmament and non-proliferation. Initiatives taken towards this noble goal have always enjoyed our full support. In this regard, the Islamic Republic of Iran sponsored General Assembly resolution 64/31 entitled "Follow-up to nuclear disarmament obligations agreed to at the 1995 and 2000 Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons". In adopting this resolution, the Assembly called, inter alia, for practical steps to be taken by all nuclear-weapon States that would lead to nuclear disarmament in a way that promotes international stability and, based on the principle of undiminished security for all:

(a) Further efforts to be made by the nuclear-weapon States to reduce their nuclear arsenals unilaterally;

(b) Increased transparency by the nuclear-weapon States with regard to nuclear weapons capabilities and the implementation of agreements pursuant to article VI of the Treaty and as a voluntary confidence-building measure to support further progress in nuclear disarmament;

(c) The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process;

(d) Concrete agreed measures to reduce further the operational status of nuclear weapons systems;

(e) A diminishing role for nuclear weapons in security policies so as to minimize the risk that these weapons will ever be used and to facilitate the process of their total elimination;

(f) The engagement, as soon as appropriate, of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.

14. Iran has also voted in favour of the relevant General Assembly resolutions such as resolution 64/59 entitled "Convention on the Prohibition of the Use of Nuclear Weapons"; resolution 64/26 on the establishment of a nuclear-weapon-free zone in the region of the Middle East; resolution 64/27 on the conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; resolution 64/57 entitled "Towards a

nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments"; resolution 64/53 on nuclear disarmament; resolution 64/37 on reducing nuclear danger; resolution 64/29 entitled "Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices"; resolution 64/66 on the risk of nuclear proliferation in the Middle East; resolution 64/69 on the Comprehensive Nuclear-Test-Ban Treaty; resolution 64/55 on follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*; resolution 63/41 entitled "Decreasing the operational readiness of nuclear weapons systems"; resolution 64/44 entitled "Nuclear-weapon-free southern hemisphere and adjacent areas"; resolution 63/63 entitled "Establishment of a nuclear-weapon-free zone in Central Asia"; resolution 64/39 entitled "Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty)"; resolution 62/16 entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)"; resolution 62/15 entitled "African Nuclear-Weapon-Free Zone Treaty"; resolution 64/35 entitled "International Day against Nuclear Tests"; resolution 64/52 entitled "Second Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia"; and relevant resolutions adopted in other international forums.

15. In order to promote the cause of nuclear disarmament and non-proliferation, the Islamic Republic of Iran also held an International Conference on Disarmament and Non-Proliferation on 17 and 18 April 2010 in Tehran, which, inter alia, examined the current challenges towards the implementation of nuclear disarmament commitments and finding mechanisms to realize the lofty goal of a nuclear-weapon-free world.

16. In line with other members of the Non-Aligned Movement, the Islamic Republic of Iran has in various forums, including the International Court of Justice, made its position clear that the use or threat of use of nuclear weapons is contrary to international law and is therefore illegal. The Islamic Republic of Iran has continuously supported the resolution adopted annually since 1999, on follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*.

17. Iran fully supports the early establishment of a subsidiary body in the Conference on Disarmament, with a mandate to start negotiations on a phased programme for the complete elimination of nuclear weapons within a specified time limit, including through a nuclear weapons convention, as a concrete step for nuclear disarmament. In this regard, we reiterate our call for the establishment, as the highest priority and as soon as possible, of an ad hoc committee with a negotiating mandate on nuclear disarmament in the Conference on Disarmament. Such negotiations must lead to legally prohibit, once and for all, the possession, development and stockpiling of nuclear weapons by any country and provide for the destruction of such inhuman weapons. Until the conclusion of a nuclear weapons convention the nuclear-weapon States must fulfil their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and refrain from:

- Any kind of development and research on nuclear weapons
- Any threat of use of nuclear weapons against non-nuclear-weapon States
- Any modernization of nuclear weapons and their facilities

– Deployment of nuclear weapons in the territories of other countries

– Maintaining their nuclear weapons in the trigger-alert situation.

18. Owing to the significant role that the establishment of nuclear-weapon-free zones plays in achieving a world entirely free from nuclear weapons, Iran, in 1974, initiated the resolution for the establishment of a nuclear-weapon-free zone in the Middle East. Since 1980, this resolution has been adopted annually by consensus in the General Assembly. However, the Zionist regime, confident of the political and military support of the United States through its persistent rejection of accession to any international disarmament instrument, and in particular the Treaty on the Non-Proliferation of Nuclear Weapons, remains the main obstacle to the establishment of such a zone.

19. The Islamic Republic of Iran believes that due to lack of any mechanism to implement article VI and to verify the compliance of nuclear-weapon States, in particular in the light of the current behaviour of some nuclear-weapon States in developing new types of nuclear weapons, one of the pillars of the Treaty is in danger. Therefore, a verifiable mechanism should be established to verify the compliance of nuclear-weapon States to the Treaty.